

BOARD OF SUPERVISORS

GILA COUNTY, ARIZONA

Date: July 19, 2005

JOSÉ M. SANCHEZ

Chairman

STEVEN L. BESICH

Clerk of the Board

TOMMIE C. MARTIN

Vice-Chairman

By: Marilyn Brewer

Deputy Clerk

SHIRLEY L. DAWSON

Member

Gila County Courthouse
Globe, Arizona

PRESENT: Jose M. Sanchez, Chairman; Shirley L. Dawson, Member; Steven L. Besich, County Manager/Clerk; Marian Sheppard, Chief Deputy Clerk; and, Bryan Chambers, 2nd Chief Deputy County Attorney.

The Gila County Board of Supervisors met in Regular Session at 10:00 a.m. this date. Jendean Sartain led the Pledge of Allegiance and Father Jay Luczak of Our Lady of the Blessed Sacrament Church delivered the Invocation.

Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board excused Vice-Chairman Martin from today's meeting as she had to attend to other business.

At 10:10 a.m. a public hearing was held to adopt Resolution No. 05-07-03 approving Planning and Zoning Department Case No. Z-05-2, a request by Frank and Michaelene Marazza to rezone tax parcel numbers 303-07-118C and 303-07-118D from C2 (Commercial Two) to R2-PAD (Residential Two District with a Planned Area Development). Terry Smith, Deputy Director of the Community Development Division/Planning & Zoning Manager, stated that the owner is requesting to develop a 1/8 fractional ownership of Wooden Nickel Cabins and Ranch House. The property is .81 acres and is located at 165 and 166 Hunter Creek Drive, Payson, Arizona, east of Christopher Creek in the Hunter Creek Ranch Development. The property to the north and west is

Forest Service land and the property to the east and south is R1L-D18 (Residence One Limited with the density of eighteen thousand). The Gila County Comprehensive Master Plan suggests residential and the proposal complies with the Plan. Mr. Smith stated that in reference to neighborhood response, his office received three letters. The Planning and Zoning (P & Z) Commission did not feel the one letter, included in the Board packet, was a valid objection to this rezoning request. The P and Z Commission decided that the objection stated in the letter should be addressed by the Hunter Creek Homeowner's Association. Mr. Smith stated that the rental cabins on the subject property are under the 1/8 fractional ownership and they are similar to being a time share. Mr. Smith advised that there is certain criteria established by the State Real Estate Department which determines whether the property is a true time share or 1/8 fractional ownership. He stated that on June 16, 2005, the P & Z Commission unanimously recommended approval of this rezoning request to the Board of Supervisors. Mr. Smith was uncertain if having a 1/8-interest ownership would allow the property owner's family and friends to use the cabin. If the Board approves this rezoning request, Mr. Smith is scheduled to meet with the State Real Estate Department, and he will visit the site to determine how Mr. & Mrs. Marrazza need to proceed. Chairman Sanchez opened the public hearing and asked for public comment. Frank Marazza of Payson, Arizona, requested to speak and stated that he developed this project. He spoke with the Hunter Creek Homeowner's Association Board and they unanimously agreed that the rezoning is fine as they would rather see owners instead of renters. Most of the residents within 300 feet have contacted Mr. Marazza and agreed that what he is doing is in the best interest of the community, with the exception of one complaint which addressed a concern that neighboring properties would be devaluated as a result of this rezoning. Mr. Marazza stated that since he purchased and developed the property, the property value has increased substantially; the tax base went from \$2,400 to \$15,000. His customers are going to purchase the cabins and will have the

right to use them five to six times per year. Supervisor Dawson asked for further clarification on the definition of a time share. Mr. Marazza stated that a time share is where a person can pay to spend one week a year at a site. With his project, there will be eight actual owners of a cabin, which can be resold, and the cabin can be used one week every two months for a total of six weeks. Supervisor Dawson also inquired if there are any regulations in Arizona that require Mr. Marazza to list this as a time share. Mr. Marazza stated to his knowledge there are no such regulations. Supervisor Dawson stated that her concern was that the eight owners could not be regulated as to who would be allowed to stay in the cabin. Mr. Marazza stated that in the rules the owners would not be allowed to rent the cabin; it would be strictly used by the owner and family. It would be an association within an association and owners would have to adhere to both sets of rules. Another objection received was a possible increase in Association fees. Mr. Marazza stated that the current Association fees are \$795 per year, and he pays for two of those fees. If the proposal before the Board is approved, those two fees will increase to seven. He also stated the usage of water and sewer should not increase. Chairman Sanchez stated that in another letter of objection there was a concern about the noise. Mr. Marazza stated that this particular case about excessive noise was an Association issue; he has received no complaints about his cabins. Supervisor Dawson inquired if Mr. Marazza would have an onsite manager. Mr. Marazza stated that he would be the onsite manager. Mr. Besich asked Mr. Smith to mark on the map the location of the cabins. Mr. Besich inquired if notice of the public hearing was published within the subdivision. Mr. Smith replied that notices were published in the subdivision twice, as well as being published in the Arizona Silver Belt and the Payson Roundup newspapers. Chairman Sanchez closed the public hearing at this time. Mr. Smith stated that if this project is approved today, he would be meeting with the State Real Estate Department to determine how this project will be set up. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board adopted Resolution No. 05-07-03.

(Copies of the Staff Report and Resolution are permanently on file in the Board of Supervisors' Office.)

In addressing agenda item number 3, Chairman Sanchez stated that two sealed bids were submitted for the purchase of tax parcel number 302-40-015C, which is owned by the State of Arizona. Chairman Sanchez called on Marian Sheppard, Chief Deputy Clerk, to speak to the issue. Ms. Sheppard advised that the County's sealed bid process is used to place bids on land located in Gila County that has been deeded to the State of Arizona for non-payment of property taxes. Ms. Sheppard stated that the lien amount on the property is \$520.12, which is also the minimum allowable bid amount. Ms. Sheppard stated that initially a sealed bid was received from Mr. Steve Conchiero, and at that time an internal process was completed by the Assessor and Treasurer. The Assessor recommended that the property not be sold because the parcel is located within McLane Road in Payson and could possibly cause a problem for the Town of Payson as they currently maintain the road. She then received another sealed bid from the Town of Payson. Ms. Sheppard presented the Board with a map and photographs of the parcel. She opened the sealed bid envelope and read aloud the first bid slip which stated that a bid in the amount of \$679.99 was submitted by Steve Conchiero. She then opened the second bid envelope and read aloud the second bid slip which stated that a bid in the amount of \$650.00 was submitted by the Town of Payson. Ms. Sheppard advised the Board that the way the County policy is written for sealed bids, the Board reserves the right to accept or reject any or all bids. The Board may take into consideration any extenuating circumstances whereby the Board may contemplate the proposed use of the road when the road is maintained by the Town of Payson. Supervisor Dawson inquired about the size of the parcel. Ms. Sheppard did not know the size; however, she advised the Chairman that LaRon Garrett, a resident of Payson and Engineer for the Town of Payson, was present to speak to the issue. Mr. Garrett stated that this parcel is the east half of the road extending approximately 300 feet,

and there is already an easement for a roadway encumbering this piece of property and for some unknown reason this was broken off as a separate parcel. Chairman Sanchez inquired if the subject road is being used as a public highway. Mr. Garrett replied in the affirmative and stated it is part of the old Phoenix to Pine highway, and the easement was obtained by the State Highway Department many years ago and is still in place. Mr. Besich stated that on the Assessor's printout, the size of the parcel is about 3.1 tenths of an acre, or 12,000 square feet. Chairman Sanchez asked the audience for any other bids for this parcel. Mr. Garrett, on behalf of the Town of Payson, raised the Town of Payson's bid to \$700.00. Chairman Sanchez inquired a second and third time for any other bids. None were offered. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board accepted the bid of \$700.00 from the Town of Payson for the purchase of tax parcel number 302-40-015C.

Steve Stratton, Public Works Division Director, requested the adoption of Resolution No. 05-07-04 authorizing the submission of a grant application in the amount of \$313,414.00 by the Public Works Division to the Arizona Department of Transportation for Arizona Transportation Enhancement Program funds that will be used for the landscaping and scenic beautification of the entrance to the Fairgrounds. Mr. Stratton stated that a year ago the County made an application for a grant to fund a new entrance to the Fairgrounds; it was denied as the application included redoing the road. Redoing the road has been removed from this application and that portion of work has been included in the Public Works Division's 5-year plan. This application is a request for the fair entrance and landscaping. The total project cost is \$346,884.00. The grant application amount of \$313,414.00 includes \$295,549.00 in Federal funding and \$17,865 in cash match funding. He also stated that the electronic message board was also removed from the current application as it was not allowable, and the cost would be approximately \$70,000. Mr. Stratton stated that a marquee-type sign will be put in place that

complies with Arizona Department of Transportation regulations. Supervisor Dawson inquired if perhaps companies would bid on putting up an electronic sign for the advertising. Mr. Stratton stated that he could research that possibility. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board adopted Resolution No. 05-07-04. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

John R. Armer, Sheriff, requested the approval of a Drug Control and System Improvement Grant Agreement (ACJC # AC-110-06) in the amount of \$371,000 that has been awarded to the Gila County Sheriff's Department by the Arizona Criminal Justice Commission for the period of July 1, 2005, through June 30, 2006. Sheriff Armer stated that this Grant is a continuation of a grant that began in 1988. It uses Federal, State and local funds to fund the Drug and Violent Crime Task Force in Gila County. It funds seven Sheriff's Department positions, plus providing money for training confidential informants and lease of office space. The Grant requires a cash match of \$57,421 by Gila County, and the County derives \$313,000 of Federal and State funds for that cash match. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board approved the Drug Control and System Improvement Grant Agreement in the amount of \$371,000.

Larry Dorame, Rural Addressing Analyst, requested the adoption of Resolution No. 05-07-05 to name an unnamed road located in Globe, Arizona, that will be called Wildlife Circle. He advised that no objections have been received from the public and he recommended the Board's approval. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board adopted Resolution No. 05-07-05. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Jeremy Goodman, Information Technology Director, requested approval to implement a network standard for home pages throughout the County to be set to Gila County's web portal. He gave a PowerPoint presentation which showed that the proposed change will be when a County employee opens a web

browser for logging onto the Internet, the first (home) page shown will be the Gila County website instead of the previous MSN page. He stated the reason for the change will be that the County page will be customized for urgent or important messages for all County employees. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board approved the request.

Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board approved Consent Agenda items A-F, as follows:

- A. Adopted Resolution No. 05-07-06 naming the following six roads: Lincoln Drive and Fast Lane located in Tonto Basin; Johnson Lane located in Young; and, Lariat Drive, Oakland Circle and Stockyard Drive located in the Globe area. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**
- B. Adopted Resolution No. 05-07-07 whereby the Board of Supervisors elects to have the County participate in the Family Counseling Program through the Arizona Supreme Court, Administrative Office of the Courts, Juvenile Justice Services Division, and certifies that a matching fund requirement of \$2,613 for the Program will be provided by the County. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**
- C. Approved the June 21, 2005, BOS Work Session meeting minutes.
- D. Approved the June 2005 monthly department activity reports submitted by the Payson Regional Constable, the Globe Regional Justice of the Peace and the Clerk of the Superior Court.
- E. Approved the personnel reports/actions for the week of July 18, 2005.

July 18, 2005:

Departure from County Service:

- 1. Coordinator of Community Education – Gila Community College – 07-26-05 – College Fund – Misty Albertsen – Hire 07-01-03 – Layoff
- 2. File Clerk – Child Support – 06-30-05 – General Fund
Justin Roses – temporary position

Hire to County Service:

3. Animal Control Officer II – Rabies Control – 07-25-05 – Rabies Control Fund - Scott Prater – replaces Mark Mitchell

4. Tax Specialist – Cashier – Treasurer – 07-25-05 – General Fund - Denise Hunnicutt – replaces Sherry Jiminez

Temporary Hire to County Service:

5. Clerk – Emergency Management – 07-11-05 – General Fund - Katrina Cervantes

6. Clerk – County Attorney – 07-11-05 – General Fund - Danielle Palmer

7. Engineering Technician I – Engineering – 07-18-05 – Engineering Fund - Art Alvarado

Departmental Transfer:

8. Volunteer & Fiscal Coordinator to Physical Activity Program Manager – Health – 07-11-05 – Grant Fund – Sabra Van Orsdol – reverted to original position

Position Review:

9. Reclassification – part-time to full-time status – Public Agency Courts Liaison – County Attorney – 07-11-05 – General Fund – Arthur Stone

10. Reclassification – Office Assistant to Administrative Assistant – Engineering – 07-25-05 – Engineering Fund – Sine Scott

11. Merit Increase – Road Maintenance Worker II – Consolidated Roads – 07-25-05 – Road Fund – Jamy Strobach

12. Merit Increase – Road Maintenance Worker II – Consolidated Roads – 07-25-05 – Road Fund – David Baker

13. Anniversary Date Increase – 07-11-05 – Dawne Hayman, Michele Holland, Kaycee Stratton

14. Anniversary Date Increase – 07-25-05 – Pete Ortega, Eddie Lopez, Svanhilder Jones, Julie Taylor, Brian Jennings

SHERIFF'S PERSONNEL ACTION ITEMS

Position Review:

15. Anniversary Date Increase – 07-25-05 – Violetta Johnson

F. Approved the finance reports/demands/transfers for the week of July 18, 2005. (separate handout).

July 18, 2005:

\$863,178.58 was disbursed for County expenses by voucher numbers X146231 through X146233, X146235, X146237 through X146239, X146241 through X146279, X146281 through X146326, X146328 through X146361, X370535 through X370662, and X370664 through X370789.

The hand-issued warrants listing is as follows: voucher number X146137 in the amount of \$216,824.16, voucher number X146138 in the amount of \$1,125.00, voucher number X370534 in the amount of \$700.00, and X146327 in the amount of \$37.50.

At this time each Board member and the Chief Administrator were presented the opportunity to give a brief summary of current events as allowed by A.R.S. §38-431.02(K).

There being no further business to come before the Board, Chairman Sanchez adjourned the meeting at 11:02 a.m.

Jose M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk